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PATENT  
3.301

Attorney Docket No. 2356.0062-05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Rule 1.53(b) continuation of: )  
Serial No. 09/092,077 )  
Maurice MONCANY et al. ) Prior Group Art Unit: 1648  
Serial No.: Not yet assigned ) Prior Examiner: J. Stucker  
Filed: September 26, 2000 )

For: NUCLEOTIDE SEQUENCES DERIVED FROM THE GENOME OF  
RETROVIRUSES OF THE HIV-1, HIV-2 AND SIV TYPE, AND THEIR USES IN  
PARTICULAR FOR THE AMPLIFICATION OF THE GENOMES OF THESE  
RETROVIRUSES AND FOR THE IN VITRO DIAGNOSIS OF THE DISEASES  
DUE TO THESE VIRUSES

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application.

Pursuant to 37 C.F.R. § 1.98(d), copies of the listed documents that were previously submitted in prior application, Serial No. 09/092,077, filed June 5, 1998, upon which applicants rely for the benefits provided in 35 U.S.C. § 120, are not attached. Copies of the remaining documents are attached. Please note that U.S. Patent Nos. 5,008,182 and 5,176,995 are the U.S. equivalents of JP62-217161, and U.S. Patent Nos. 5,079,351 and 5,268,268 are the U.S. equivalents of JP63-294800.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 26, 2000

By



Timothy B. Donaldson  
Reg. No. 43,592